

REMARKS

As a preliminary matter, claim 6 of the present invention has been amended solely to correct for a typographical error. Entry of this amended claim is respectfully requested.

Claims 1-16 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura et al. (U.S. 6,005,646) in view of Sukenori et al. (U.S. 5,943,106). Applicants respectfully traverse this rejection because the Sukenori reference may not be properly cited against the present Application in a rejection based on obviousness.

35 U.S.C. 103(c) requires that subject matter which qualifies as prior art under Section 102(e) will not preclude patentability under Section 103 where the subject matter and the presently claimed invention were, at the time the invention was made, owned or subject to an obligation of assignment to the same person or entity. In the present case, both the assignment papers that appear with the present Application, and the "Assignee" on the face of the Sukenori patent, show that both Applications were subject to an obligation of assignment to the same assignee, Fujitsu Limited of Kawasaki, Japan. Because the Sukenori reference would otherwise only qualify as prior art under Section 102(e), it may not be properly cited against the present Application according to Section 103(c). Please note that the Continued Prosecution Application filed January 2, 2003, allows the most recent versions of Sections 103(c) and 102(e) to be considered in evaluating the present Application.

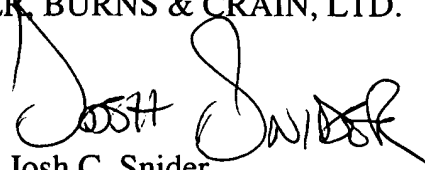
Once Sukenori is removed from consideration against the present Application in a rejection based on obviousness, Nakamura stands alone as the only basis for rejection. However, the Examiner specifically notes on Pages 2 and 3 of Paper No. 15 that Nakamura fails to teach or suggest all of the features of both independent claims of the present invention. Moreover, Applicants have provided meritorious arguments against a rejection based on the Nakamura reference in Amendment B, filed December 2, 2002, which is incorporated by reference herein. Accordingly, because no *prima facie* case of obviousness has been made against the present Application in the outstanding Office Action, the Section 103 rejection is respectfully traversed.

For all of the foregoing reasons, Applicants submit that this Application, including claims 1-16, is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

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